

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gao, D. et al. ) ATTORNEY DOCKET NO.: C-3169-1 US  
                              )  
SERIAL NO.: 09/451,641     ) GROUP ART UNITE: 1615  
                              )  
FILED: November 30, 1999   ) EXAMINER: S. Tran  
  
TITLE: CELECOXIB COMPOSITIONS  
  
DATE: January 7, 2003

CERTIFICATE OF MAILING

I hereby certify that this communication and its recited enclosures are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on January 7, 2003.

Susan Gawlik  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION

Applicant hereby makes petition under 37 C.F.R. § 1.137(b) to revive the above-referenced application, which went unintentionally abandoned in circumstances outlined below. In connection with this petition, please charge \$1300.00 or the sum required under 37 C.F.R. § 1.17(m) to Deposit Account No. 19-1025.

An outstanding Office Action in the present application had a due date for response, with petition and fee for three months extension of time, of January 3, 2003. On January 2, 2003, the undersigned prepared a response with the required petition and fee for mailing. A correctly addressed envelope containing the response, duly accompanied by a Certificate of First Class Mailing signed by Susan Gawlik, assistant to the undersigned, was provided to Pharmacia Corporation's contracted mailroom service with the expectation that, as normal, the envelope would be delivered to the United States Postal Service on January 2, 2003. On January 6, 2003, the envelope was returned to the undersigned without having been mailed. The mailroom service has admitted that this was an error on the part of a mailroom employee.

The entire delay in filing the required reply from the due date for the reply until the

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iling of this petition, which Applicant believes is grantable, pursuant to 37 C.F.R. § 1.137(b) was unintentional.

Enclosed herewith is the response as prepared on January 2, 2003, with the exception of the Fee Transmittal form referenced therein. A new Fee Transmittal form including the fee in connection with this petition is attached hereto.

Respectfully submitted,

James C. Forbes

James C. Forbes  
Agent for Applicant  
Registration No. 39,457  
Tel. (847)581-6090

Address Correspondence to:

Pharmacia Corporation  
Patent Department  
800 N Lindbergh Boulevard  
St Louis, MO 63017

Attachments

Fee transmittal form  
Response dated January 2, 2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL

## for FY 2003

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 2,230.00)

## Complete if Known

Application Number	09/451,641
Filing Date	January 7, 2003
First Named Inventor	Gao, D.
Examiner Name	S. Tran
Art Unit	1615
Attorney Docket No	C-3169/1/US

## METHOD OF PAYMENT (check all that apply)

 Check  Credit Card  Money Order  Other  None  
 Deposit Account

Deposit Account Number	19-1025
Deposit Account Name	Pharmacia Corporation

The Commissioner is authorized to: (check all that apply)

 Charge fees indicated below  Credit any overpayments  
 Charge any additional fees(s) during the pendency of this application  
 Charge fees indicated below, except for the filing fee to the above-identified deposit account.
 

## FEE CALCULATION

## 1 BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X _____	= _____
			-3** =	X _____	= _____

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

\*\* or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	930.00
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	1300.00
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$)		\$ 2,230.00	

(Complete if applicable)

Name (Print Type):	James C. Forbes	Registration No (Attorney/Agent):	3,457	Telephone:	847-581-6090
Signature:	James C. Forbes	Date:	January 7, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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